

The Duty to Consult and Beyond: Hot Topics, Practical Tips and Pitfalls to Avoid for Aboriginal Law Practitioners

Date: Thursday, February 7, 2013 | 9:00 am to 12:20 pm

Location: Westin Harbour Castle Conference Centre, 2 Harbour Square

Program Chairs: **Julie Jai**, Department of Justice Canada
Russell Raikes, McKenzie Lake Lawyers LLP - London



2.25 Substantive Hours
1 Professionalism Hour

Note: New members may apply any program that contains a minimum of **0.5 Professionalism Hours** toward the annual CPD requirement.

Practising in the complex and evolving area of Aboriginal law can be challenging... but help is at hand. This program covers recent changes in the law and provides practical tips from experienced practitioners. Sessions include an address on reconciliation from Justice Harry LaForme, a detailed discussion of the duty to consult on major projects, small group discussions on professionalism issues faced by Aboriginal law practitioners, and updates on case law developments and coming trends.

9:00 am **Opening Remarks**

9:05 am **Major Projects and the Duty to Consult**

- Important developments from recent cases
- Latest provincial and federal changes in mining and energy regulations
- Key points for consulting with Métis communities
- Practical tips for successful engagement and agreement

Moderator: **Richard Ogden**, WeirFoulds LLP

Panelists: **Juli Abouchar**, Willms & Shier Environmental Lawyers LLP

Andrew Macdonald, Legal Director, Legal Services Branch, Ministry of Northern Development and Mines

Paul Manning, Manning Environmental Law

9:40 am **Professionalism Issues in Aboriginal Law**

(small group discussions)

- Consider the ethical and other professional issues raised by two fact scenarios:
- Scenario #1 – residential schools
- Scenario #2 – energy projects
- Facilitated small group discussions for 20 minutes on each topic
- 20-minute plenary reports from small groups

Moderator: **Julie Jai**, Department of Justice Canada

Discussion Leaders: **Elaine Bright**, Pace Law Firm

Richard Ogden, WeirFoulds LLP

10:40 am **Break**

11:00 am **12-minute Updates**

- Residential Schools and other Children's Litigation
Russell Raikes, McKenzie Lake Lawyers LLP
- Major decisions of the past year
Grant Wedge, Ontario Ministry of Aboriginal Affairs Legal Services Branch
Written materials from Mark Crow, Ontario Ministry of the Attorney General
- Issues on the horizon and upcoming litigation
Professor Shin Imai, Osgoode Hall Law School, York University

11:40 am **Resetting the Aboriginal Canadian Relationship—Musings on Reconciliation**

Keynote Speaker: **The Honourable Harry S. LaForme**, Ontario Court of Appeal

12:15 pm **Questions and Concluding Remarks**

12:20 pm **Program Concludes**

Your registration fee includes the keynote address, welcome reception, special events, breakfasts, lunches, refreshments, and access to the electronic materials for ALL programs.

PROGRAM REGISTRATION IS ONLINE www.oba.org/institute2013

Questions? pd@oba.org